3763/

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

James J. Frassica

Serial No.:

09/671,048

Filing Date:

09/27/2000

For:

Sir:

ROTATE-TO-ADVANCE CATHETERIZATION SYSTEM

Group Art Unit:

3763

Examiner:

Manuel A. Mendez

Attorney's Docket No.:

FA-70

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

# 3-1450 INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicants hereby make the following documents of record in the above-identified application:

### U.S. Patents

- (1) U.S. Patent No. 207,932, issued 09/10/1878 to Alvord
- (2) U.S. Patent No. 761,235, issued 05/31/1904 to Kepler
- (3) U.S. Patent No. 1,644,919, issued 10/11/1927 to Hayes
- (4) U.S. Patent No. 1,888,349, issued 11/22/1932 to Jacoby
- (5) U.S. Patent No. 2,173,527, issued 09/19/1939 to Agayoff
- (6) U.S. Patent No. 2,896,629, issued 07/28/1959 to Warr
- (7) U.S. Patent No. 3,428,046, issued 02/18/1969 to Remer et al.
- (8) U.S. Patent No. 3,815,608, issued 06/11/1974 to Spinosa et al.
- (9) U.S. Patent No. 3,897,751, issued 08/05/1975 to Gullino et al.
- (10) U.S. Patent No. 4,445,509, issued 05/01/1984 to Auth
- (11) U.S. Patent No. 4,682,981, issued 07/28/1987 to Suzuki
- (12) U.S. Patent No. 4,759,346, issued 07/26/1988 to Nakajima
- (13) U.S. Patent No. 4,762,130, issued 08/09/1988 to Fogarty et al.
- (14) U.S. Patent No. 4,834,724, issued 05/30/1989 to Geiss et al.
- (15) U.S. Patent No. 4,950,232, issued 08/21/1990 to Ruzicka et al.
- (16) U.S. Patent No. 4,955,859, issued 09/11/1990 to Zilber
- (17) U.S. Patent No. 4,994,032, issued 02/19/1991 to Sugiyama et al.
- (18) U.S. Patent No. 5,009,643, issued 04/23/1991 to Reich et al.
- (19) U.S. Patent No. 5,087,252, issued 02/11/1992 to Denard

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- (20) U.S. Patent No. 5,129,910, issued 07/14/1992 to Phan et al.
- (21) U.S. Patent No. 5,246,441, issued 09/21/1993 to Ross et al.
- (22) U.S. Patent No. 5,246,445, issued 09/21/1993 to Yachia et al.
- (23) U.S. Patent No. 5,308,354, issued 05/03/1994 to Zacca et al.
- (24) U.S. Patent No. 5,313,934, issued 05/24/1994 to Wiita et al.
- (25) U.S. Patent No. 5,334,211, issued 08/02/1994 to Shiber
- (26) U.S. Patent No. 5,339,800, issued 08/23/1994 to Wiita et al.
- (27) U.S. Patent No. 5,556,382, issued 09/17/1996 to Adams
- (28) U.S. Patent No. 5,456,685, issued 10/10/1995 to Huebner
- (29) U.S. Patent No. 5,672,158, issued 09/30/1997 to Okada et al.

### **Foreign Patents**

- (30) DE 23 11 807 A (EAST WEST MEDICAL PRODUCTS) published 13 September 1973
- (31) German Patent No. 92 03 077, published 07/30/1992
- (32) French Patent No. 564832, published 01/12/1924

### Other Publications

- (33) "Anatomy, Descriptibe & surgical" by Henry Gray, 1977 Crown Publisher pp. 98-1001, 1004-1007, 1026-1027.
- (34) "Ancient Inventions", 1<sup>st</sup> Ed 1994 by Peter James & Nick Thorpe, Ballantine Books pp. 15 & 16.
- (35) "Perspective in Urology", Hoffman-Larducue, 1976 Pub of American Urological Assoc. pp. 117-134.
- (36) "Antique Medical Instruments", by Keith Wilbuy, M.D., Schiffer Pub Ltd., pp. 74-75.
- (37) "Urology Productions", Bard Urological Div. 6 pages Product Data Sheets.
- (38) "A Presentation of Catheters and Urological Specialties for..." 1 page Foley Catheters/Urological Specialties.

Copies of these documents 1-3, 5, 6, 10, 11, 13-16, 18-23, 25, 28, 29, and 33-38 which are listed on accompanying Form PTO-1449, were previously submitted to, or cited by, the Office in U.S. Application Serial Number 09/448,054. Copies of documents 4, 7, 8, 9, 12, 17, 24, 26, 27, and 30-32 are enclosed herewith. Applicants respectfully request that these documents be fully considered by the U.S. Patent and Trademark Office.

The enclosed documents may have markings thereon. Applicants are not presently aware of the source of those markings, and no significance is meant to be attached thereto.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97 and 1.98. If for any reason the Examiner considers otherwise, it is respectfully requested that the undersigned be contacted by the Examiner by telephone in order that any deficiencies may be expeditiously remedied.

A check in the amount of One Hundred Eighty Dollars (\$180.00) payable to the Commissioner of Patents and Trademarks also is enclosed herewith to cover the fee due in connection with this submission.

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

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November 5, 2003	
(DATE OF DEPOSIT)	James A. Sheridan
James A. Sheridan	Registration No. 43,114
James a Survive 11/5/03	Pandiscio & Pandiscio 470 Totten Pond Road Waltham, MA 02154
(SIGNATURE)	Tel. (781) 290-0060
November 5, 2003	
(DATE OF SIGNATURE)	

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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& TRADEMAN CO	mpl te if Known	
Application Number	09/671,048	
Filing Date	09/27/2000	
First Named Inventor	James J. Frassica	
Group Art Unit	3763	
Examiner Name	Manuel A. Mendez	
Attorney Docket Number	FA-70	

				U.S. PATENT DOCU	MENTS	16
Examiner Initials*	Cite No.1	U.S. Patent	Cocument Kind Code <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		207,93	2	Alvord	09-10-1878	
		761,23	5	Kepler	05-31-1904	
		1,644,9	19	Hayes	10-11-1927	
		1,888,3	49	Jacoby	11-22-1932	
		2,173,5	27	Agayoff	09-19-1939	
		2,896,6	29	Warr	07-28-1959	
		3,428,0	46	Remer et al.	02-18-1969	
		3,815,6	80	Spinosa et al.	06-11-1974	
		3,897,7	51	Gullino et al.	08-05-1975	0
		4,445,5	09	Auth	05-01-1984	nECE!
		4,682,9	81	Suzuki	07-28-1987	4.
		4,759,3	46	Nakajima	07-26-1988	NOVIO
		4,762,1	30	Fogarty et al.	08-09-198 <b>3</b> 5	9 /(no
		4,834,7	24	Geiss et al.	07-26-1988 08-09-198 <b>%</b> 05-30-1989	MOLOGY
		4,950,2	32	Ruzicka et al.	08-21-1990	Ç.
		4,955,8	59	Zilber	09-11-1990	
		4,994,0	32	Sugiyama et al.	02-19-1991	
		5,009,6	43	Reich et al.	04-23-1991	
		5,087,2	52	Denard	02-11-1992	
		5,129,9	10	Phan et al.	07-14-1992	

	FOREIGN PATENT DOCUMENTS									
Examiner Initials	Cite No.1	Office <sup>3</sup>	Foreign Patent D Number <sup>4</sup>	Kind	Code <sup>5</sup> nown)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Te ∣	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Application Number	09/671,048		
Filing Date	09/27/2000		
First Named Inventor	James J. Frassica		
Group Art Unit	3763		
Examiner Name	Manuel A. Mendez		
Attorney Docket Number	FA-70		

			U.S. PATENT DOCU	JMENTS	
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		5,246,445	Yachia et al.	09-21-1993	
		5,308,354	Zacca et al.	05-03-1994	
		5,334,211	Shiber	08-02-1994	
		5,456,685	Huebner	10-10-1995	
		5,672,158	Okada et al.	09-30-1997	
		5,339,800	Wiita et al.	08-23-1994	
		5,556,382	Adams	09-17-1996	
		5,456,685	Huebner	10-10-1995	- P-
		5,246,441	Ross et al.	09-21-1993	RECEIVE
		5,313,934	Wiita et al.	05-24-1994	NOVIO
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FOREIGN PATENT DOCUMENTS									
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		DE	23 11 807		EAST WEST MEDICAL PRODUCTS	09-13-1973			
		DE	92 03 077		FUHRMANN	07-30-1992		T	
		FR	564,832	A	PEYRET ET AL.	01-12-1924		T	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond Complete if Known Substitute for form 1449B/PTO **Application Number** 09/671,048 INFORMATION DISCLOSURE Filing Date 09/27/2000 STATEMENT BY APPLICANT First Named Inventor <u>James J. Frassica</u> **Group Art Unit** 3763 Manuel A. Mendez Examiner Name (use as many sheets as necessary) Attorney Docket Number of FA-70 Sheet

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Cite No.1	include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Ţ2					
		"Anatomy, Descriptibe & surgical" by Henry Gray, 1977 Crown Publisher pp. 98-1001, 1004-1007, 1026-1027.						
-		"Ancient Inventions", 1st Ed 1994 by Peter James & Nick Thorpe, Ballantine Books pp. 15 & 16.						
		"Perspective in Urology", Hoffman-Larducue, 1976 Pub of American Urological Assoc. pp. 117-134.						
		"Antique Medical Instruments", by Keith Wilbuy, M.D., Schiffer Pub Ltd., pp. 74-75.						
		"Urology Productions", Bard Urological Div. 6 pages Product Data Sheets.						
		"A Presentation of Catheters and Urological Specialties for" 1 page Foley Catheters/Urological Specialties.						
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